

**COMBINED DECLARATION
AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My citizenship, residence and post office address are as listed below next to my name.

I believe I am the original, first and ☐ sole/☒ joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: Fusion Proteins of a Single Chain Antibody and CD28 and Uses Thereof
the specification of which

(a) ☐ is attached hereto.

(b) ☒ was filed on 30 September 1997 as Application Serial No. 08/940,544 and was amended on _____.

(c) ☐ was described and claimed in International Application No. _____ filed on _____ and amended on _____.

Acknowledgement of Duty of Disclosure

I hereby state that I have reviewed and understood the content of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the patentability of the subject matter claimed in this application in accordance with Title 37, Code of Federal Regulations § 1.56(a).

Continuation-In-Part Application

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/US97/04427
(Application Serial No.)

March 20, 1997
(Filing Date)

pending
(Status)(patented,pending,abandoned)

(Application Serial No.)

(Filing Date)

(Status)(patented,pending,abandoned)

Power of Attorney

I hereby appoint Carl Oppedahl, PTO Reg. NO. 32,746, Marina T. Larson, PTO Reg. No. 32,038 and Stanley D. Ference III, PTO Reg. No. 33,879 of the firm of OPPEDAHL & LARSON, having office at 1992 Commerce Street, Yorktown Heights, NY 10598 as attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO:
OPPEDAHL & LARSON
1992 COMMERCE STREET, SUITE 309
YORKTOWN HEIGHTS, NY 10598-4412

DIRECT TELEPHONE CALLS TO:
OPPEDAHL & LARSON
(914) 245-3252

Claim for Priority

I hereby claim priority under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have identified any foreign applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

EARLIEST FOREIGN APPLICATION(S), FILED WITHIN TWELVE MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day/month/year)	DATE OF ISSUE (day/month/year)	PRIORITY CLAIMED
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>
				YES <input type="checkbox"/> NO <input type="checkbox"/>

FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO SAID APPLICATION				
COUNTRY	APPLICATION NO.	DATE OF FILING (day/month/year)	DATE OF ISSUE (day/month/year)	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR	LAST NAME SADELAIN	FIRST NAME MICHEL	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE NEW YORK	STATE OR COUNTRY OF RESIDENCE NEW YORK	COUNTRY OF CITIZENSHIP CANADA
POST OFFICE ADDRESS 401 E. 89TH STREET #9K		CITY NEW YORK	STATE/COUNTRY ZIP CODE NY 10128
DATE <i>December 2, 1997</i>		SIGNATURE <i>Michel Sadelain</i>	

- [X] Signature for additional joint inventor attached. Number of Pages 1.
 [] Signature by Administrator(trix) or legal representative for deceased or incapacitated inventor. Number of Pages ____.
 [] Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR § 1.47. Number of Pages ____.

NAME OF SECOND INVENTOR	LAST NAME CHEUNG	FIRST NAME NAI-KONG	MIDDLE NAME V.
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE PURCHASE	STATE OR COUNTRY OF RESIDENCE NEW YORK	COUNTRY OF CITIZENSHIP US
POST OFFICE ADDRESS 3 GLEN PARK ROAD		CITY PURCHASE	STATE/COUNTRY ZIP CODE NY 10577
DATE 12/2/97		SIGNATURE <i>Na Kong V Cheung</i>	
NAME OF THIRD INVENTOR	LAST NAME KRAUSE	FIRST NAME ANJA	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE NEW YORK	STATE OR COUNTRY OF RESIDENCE NEW YORK	COUNTRY OF CITIZENSHIP GERMANY
POST OFFICE ADDRESS 303 E. 60TH STREET, #5D		CITY NEW YORK	STATE/COUNTRY ZIP CODE NY 10021
DATE 12-2-97		SIGNATURE <i>Anja Krause</i>	
NAME OF FOURTH INVENTOR	LAST NAME GUO	FIRST NAME HONG-FEN	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE NEW YORK	STATE OR COUNTRY OF RESIDENCE NEW YORK	COUNTRY OF CITIZENSHIP PRC
POST OFFICE ADDRESS 504 E. 89TH STREET #4A		CITY NEW YORK	STATE/COUNTRY ZIP CODE NY 10128
DATE 12/2/97		SIGNATURE <i>Hong Fen Guo</i>	
NAME OF FIFTH INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
RESIDENCE & CITIZENSHIP	CITY OF RESIDENCE	STATE OR COUNTRY OF RESIDENCE	COUNTRY OF CITIZENSHIP
POST OFFICE ADDRESS		CITY	STATE/COUNTRY ZIP CODE
DATE		SIGNATURE	

Applicant or Patentee: Sadelain et al. Attorney's Docket No. MSK.P-035-US
 Serial or Patent No.: 08/940,544 Filed or Issued: September 30, 1997
 For: Fusion Proteins of a Single Chain Antibody and CD28 and Uses Thereof

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Sloan-Kettering Institute for Cancer Research
 ADDRESS OF ORGANIZATION 1275 York Avenue, New York, NY 10021

TYPE OF ORGANIZATION

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
 (NAME OF STATE _____)
 (CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 (NAME OF STATE _____)
 (CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the above-captioned invention which is described in

- ☐ the specification filed herewith
☒ Application Serial No. 08/940,544, filed September 30, 1997
☐ Patent No. _____, issued _____

I hereby declare that the rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *Note: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING James S. Quirk TITLE Senior Vice President Research Resources Management

ADDRESS OF PERSON SIGNING 1275 York Avenue, New York, New York 10021

SIGNATURE James S. Quirk DATE 12/3/97